

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:16-cr-00279-JAD-PAL

Plaintiff,

JOSHUA SADAT WASHINGTON,

(Mot. for Subpoena – ECF No. 164)

Defendant.

This matter is before the court on Defendant Joshua Sadat Washington's Motion Requesting Subpoena for Required Material (ECF No. 164) pursuant to Rule 17 of the Federal Rules of Criminal Procedure. This Motion is referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 and 1-7(g) of the Local Rules of Practice.

Having reviewed and considered the matter, the court finds that Mr. Washington has met his burden under *United States v. Iozia*, 13 F.R.D. 335, 338 (S.D.N.Y. 1952), of establishing the need for pretrial production of the materials described in the Motion. The court will therefore, direct issuance of subpoena duces tecum instructing the custodian of records for United Parcel Service to produce the designated items to the Clerk of the Court by the close of business on February 19, 2018. Upon receipt of the documents, the Clerk shall notify counsel for the parties that the documents are available for inspection and copying.

Accordingly,

IT IS ORDERED:

1. Defendant Joshua Sadat Washington's Motion Requesting Subpoena for Required Material (ECF No. 164) is **GRANTED**.
2. The Clerk of the Court shall issue a subpoena duces tecum to United Parcel Service and deliver a copy of the Motion, this Order, and subpoena to the U.S. Marshal for *expedited service*.

1 3. The custodian of records for United Parcel Service shall produce and forward
2 records responsive to the subpoena by **4:00 PM on February 19, 2018**, along with
3 a copy of this Order, to:

4 Clerk of Court
5 United States District Court for the District of Nevada
6 333 Las Vegas Blvd. South
7 Las Vegas, Nevada 89101

8 4. Upon receipt of the records, the Clerk of Court shall notify counsel for the parties
9 that the documents are available for inspection and copying.
10 5. The cost of process, fees, and expenses for the subpoena shall be paid as if
11 subpoenaed on behalf of the government, the court being satisfied that Defendant
12 Washington is financially unable to pay the fees and expenses.

13 Dated this 6th day of February, 2018.

14 
15 PEGGY A. LEEN
16 UNITED STATES MAGISTRATE JUDGE